

## Message Text

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71

ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 SCA-01 DHA-02 L-03 SS-15 NSC-05

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O 280030Z AUG 76

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC IMMEDIATE 7077

AMCONSUL CIUDAD JUAREZ

AMCONSUL GUADALARA

AMCONSUL HERMOSILLO

AMCONSUL MATAMOROS

AMCONSUL MAZATLAN

AMCONSUL MERIDA

AMCONSUL MONTERREY

AMCONSUL NUEVO LAREDO

AMCONSUL TIJUANA

UNCLAS MEXICO 11088

EO 11652: NA

TAGS: CASC MX

SUBJECT: PROPOSED HUNGER STRIKE BY AMERICAN PRISONERS:

SUGGESTED GUIDELINES

REF MEXICO 10963

1. FOLLOWING ARE GENERAL GUIDELINES FOR CONSTITUENT POSTS TO  
DRAW UPON IN DISCUSSING PROPOSED HUNGER STRIKE WITH AMERICAN  
PRISONERS IN YOUR DISTRICTS. EACH POST WILL NEED TO RELY  
UPON ITS OWN ASSESSMENT OF THE SITUATION AT EACH PRISON AND THE  
PSYCHOLOGY OF THE PRISONERS INVOLVED. EVEN IN MEXICO CITY,  
THE PSYCHOLOGICAL ATMOSPHERE AT EACH PRISON IS SOMEWHAT  
DIFFERENT. HOWEVER, WE BELIEVE IT IS IMPORTANT THAT POSTS  
NOT APPEAR TO OVERREACT TO THE THREATENED STRIKE. THE MOOD  
OF PRISONERS HERE WHO ARE PROMOTING STRIKE IS VERY MUCH ONE OF  
"WE DID IT BEFORE AND WE CAN DO IT AGAIN\*" OVER REACTION  
WOULD MERELY STRENGTHEN THE CONVICTION OF STRIKE LEADERS THAT  
THEY CAN FORCE USG INTO PRECIPITATE ACTION ON NEGOTIATIONS  
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ON WHICH WE ARE ALREADY PRESSING FORWARD AS RAPIDLY AS POSSIBLE.

THEREFORE, WE SHOULD AVOID GIVING PRISONERS THE IMPRESSION THAT WE ARE UNDULY ALARMED AT THE THREAT OF A STRIKE.

2. THE KEYNOTE OF APPROACH EMBASSY PLANS TO USE IS THAT WE ARE CONCERNED FOR THE WELFARE OF THE PRISONERS, AND CONCERNED THAT THEY WILL HARM THEIR OWN INTERESTS BY A STRIKE WHICH HAS NO REALISTIC CHANCE OF PRODUCING RESULTS. NOT ONLY ARE THEY LIKELY TO DO THEMSELVES PHYSICAL HARM, BUT THE PROPOSED STRIKE, FAR FROM BEING LIKELY TO EXPEDITE THE CONCLUSION OF THE TRANSFER OF SANCTIONS PROPOSAL, COULD ENDANGER THE PROSPECTS FOR SUCCESS. THE PRISONERS SHOULD ALSO BE AWARE THAT PARTICIPATING IN A HUNGER STRIKE MAY EXPOSE THEM TO DISCIPLINARY MEASURES BY PRISON AUTHORITIES. WE DO NOT THINK THAT SUCH DISCIPLINE IS LIKELY TO TAKE THE FORM OF PHYSICAL ABUSE (AT LEAST, NOT IN THE RECENTLY REFORMED PRISON SYSTEM IN MEXICO CITY), BUT IT MIGHT WELL TAKE THE FORM OF BEING PLACED IN SOLITARY CONFINEMENT, LOSS OF PRIVILEGES, AND LOSS OF WORK CREDIT FOR EARLY RELEASE, WHICH DEPENDS UPON MAINTENANCE OF GOOD BEHAVIOR AND ADAPTABILITY RE REHABILITATION.

3. PRISONERS MAY BE ASSURED THAT THE "PRISONER EXCHANGE" PROPOSAL HAS BEEN CAREFULLY STUDIED BY BOTH GOVERNMENTS, AND THAT WE HOPE TO BEGIN PRELIMINARY DISCUSSIONS WITHIN TWO WEEKS. WHAT HAS BEEN PROPOSED IS A TRANSFER OF SANCTIONS ARRANGEMENT, UNDER WHICH AMERICAN PRISONERS WHO HAVE BEEN SENTENCED IN MEXICO WOULD BE GIVEN THE OPTION OF SERVING THEIR SENTENCES IN PRISONS IN THE U.S. THERE HAS BEEN NO SUGGESTION FROM EITHER SIDE THAT THE AGREEMENT MIGHT RESULT, DIRECTLY OR INDIRECTLY, IN THE RELEASE OF AMERICAN PRISONERS ONCE THEY ARE RETURNED TO THE UNITED STATES. WHILE THE PROPOSAL HAS BEEN GIVEN INTENSE STUDY IN THE U.S., AND WE ARE HOPEFUL OF GOOD PROGRESS IN THE FORTHCOMING NEGOTIATIONS, THE PRISONERS SHOULD BE AWARE THAT NEGOTIATIONS OF THIS TYPE, REQUIRING RECONCILIATION OF DIFFICULTIES PRESENTED BY THE DIFFERING LEGAL SYSTEMS OF THE TWO COUNTRIES, ALWAYS TAKE CONSIDERABLE TIME. NEITHER THE USG NOR THE GOM HAS EVER NEGOTIATED AN AGREEMENT OF THIS TYPE. SEVERAL YEARS AGO, THE USG STUDIED THE POSSIBILITY OF A SIMILAR ARRANGEMENT WITH A EUROPEAN GOVERNMENT, BUT DID NOT CONCLUDE AN AGREEMENT. HOWEVER, WE ARE WORKING HARD AT HOPES THAT AN AGREEMENT MAY BE POSSIBLE WITH MEXICO. PRISONERS HERE HAVE EXPRESSED

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CONCERN THAT THE NEGOTIATIONS MAY NOT BE CONCLUDED BEFORE THE CHANGE OF ADMINISTRATION IN BOTH COUNTRIES. (IN FACT, IT APPEARS UNLIKELY THAT THEY WILL.) IN THAT EVENT, WE HAVE NO REASON TO BELIEVE THAT THE INCOMING ADMINISTRATION ON EITHER SIDE WOULD NOT WISH TO CONTINUE THE NEGOTIATIONS TO A SUCCESSFUL CONCLUSION.

4. ALL CONSTITUENT POSTS ARE REQUESTED TO KEEP THE DEPT AND

EMBASSY INFORMED ON DEVELOPMENTS ON THIS ISSUE.

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